

PSr8C
(05/08)

January 22, 2009

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

FILED

09 JAN 27 PM 12:30

Petition for Summons for Defendant on Pretrial Release

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Name of Defendant: Serrano, Jasmine Helena (English)

Dkt No.: 08CR3908L-001

DEFENDANT

Reg. No.: 11431-298

Name of Judicial Officer: The Honorable James Lorenz, U.S. District Judge (Judge Lorenz referred the following matter to the Honorable Ruben B. Brooks)

Date Conditions Ordered: October 15, 2008, before the Honorable Ruben B. Brooks, U.S. Magistrate Judge

Charged Offense: 21 USC 952 and 960 Importation of Marijuana

Conditions of Release: restrict travel to the State of California with no travel to Mexico; report for supervision with Pretrial Services (PSA) as directed by the assigned Pretrial Services Officer and pay for the reasonable costs of supervision in an amount determined by PSA and approved by the Court; not possess or use any narcotic drug or other controlled substance as defined in 21 U.S.C. & 802, without a lawful medical prescription; and not possess any firearm or other dangerous weapon or explosive device.

Modification: On November 6, 2008, the Honorable Ruben B. Brooks, U.S. Magistrate Judge modified the defendant's conditions of release to require the defendant submit to treatment, and/or testing, as specified by the Pretrial Services Officer for drug use.

Date Released on Bond: November 6, 2008

Next Court Hearing: February 23, 2009, at 8:30 a.m. for sentencing

Asst. U.S. Atty.: Carla J. Bressler
(619)557-6763

Defense Counsel: Kenneth McMullen (Appointed)
(619) 231-9664

Prior Violation History: None.

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PETITIONING THE COURT

**TO SUMMON THE DEFENDANT TO APPEAR IN COURT AND SHOW CAUSE AS TO WHY
HER BOND SHOULD NOT BE REVOKED**

The Pretrial Services officer believes that the defendant has violated the following condition(s) of pretrial release:

CONDITION(S)**(Standard Condition)**

Not possess or use any narcotic drug or other controlled substance as defined in 21 USC 802, without a lawful medical prescription.

ALLEGATION(S) OF NONCOMPLIANCE

1. On January 12, 2009, the defendant submitted a urine specimen that confirmed positive for the presence of cocaine.
2. On January 13, 2009, the defendant admitted to using her friend's prescription medication.

Grounds for Revocation:

I received and reviewed written laboratory notification from the U.S. Pretrial Services Laboratory which verify the urine specimen provided by the defendant at the United States Pretrial Services office in the Southern District of California on January 12, 2009, confirmed positive for cocaine.

On January 13, 2009, the defendant was informed of the positive test for cocaine. She denied illicit drug use, however, admitted to taking two muscle relaxers called (Somers) for pain caused by an ear infection. Additionally, she reported the muscle relaxer medication was prescribed to her friend.

CONDITION(S)**(Standard Condition)**

Report for supervision to Pretrial Services Agency (PSA) as directed by the assigned PSO and pay for the reasonable costs of supervision in an amount determined by PSA and approved by the Court.

ALLEGATION(S) OF NONCOMPLIANCE

3. On January 19, 2009, the defendant failed to report telephonically as instructed.

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Grounds for Revocation:

I reviewed the Pretrial Release Reporting Instructions dated and signed by the defendant on November 10, 2008. The defendant is to report telephonically every Monday with Pretrial Services. On January 21, 2009, I contacted the defendant telephonically and asked her why she failed to make her weekly telephonic report on January 19, 2009. The defendant apologized for not reporting as instructed. She indicated she has been going through financial stress.

Supervision Adjustment

The defendant began her pretrial supervision on November 6, 2008, and reported to the Pretrial Services office on November 10, 2008, for her Post Release Intake Interview. At that time, the defendant was explained her conditions of release. Aside from the pending allegations, the defendant has been compliant with all other conditions of release.

Criminal computerized record checks reveal no new arrests.

RECOMMENDATION/JUSTIFICATION


In consideration of the defendant's positive urinalysis test for cocaine and her inability to follow through with directives. Pretrial Services would request your Honor order the defendant to appear on January 29, 2009, at 10:00 a.m. for an Order to Show Cause hearing, so she may explain why her pretrial release should not be revoked.

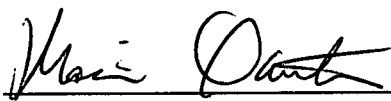
I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 1-22-09

Respectfully submitted:
LORI A. GAROFALO
CHIEF PRETRIAL SERVICES OFFICER

Reviewed and approved:

by 
Sabrina Hall
U.S. Pretrial Services Officer
(619) 619-557-6145
Place: San Diego, California


Moises Santos
Supervising U.S. Pretrial Services Officer

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X **AGREE**, cite the defendant to appear on January 29, 2009, at 10:00 a.m. for an Order to Show Cause hearing before the Honorable Ruben B. Brooks, U.S. Magistrate Judge.

Arthur Brooks

The Honorable Ruben B. Brooks
U.S. Magistrate Judge

1/23/2009

Date _____